

**UNITED STATES DISTRICT COURT**

For the  
Eastern District of New York

JERRY GEZA TOTH on behalf of T.T.

-----  
Plaintiffs,

**AFFIRMATION**

vs.

Civil Action No. 25-cv-03317

NEW YORK CITY DEPARTMENT OF EDUCATION

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Defendant.

STATE OF NEW YORK: COUNTY OF NEW YORK:

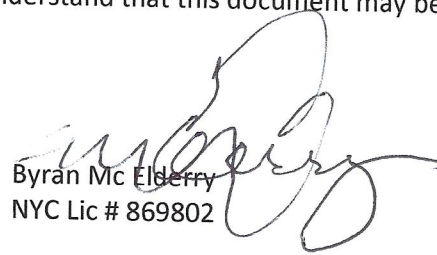
BYRAN MCELDERRY BEING DULY SWORN DEPOSES AND SAYS DEPONENT IS NOT A PARTY TO THIS ACTION, OVER THE AGE OF EIGHTEEN YEARS AND RESIDES IN THE STATE OF NEW YORK

That on July 1, 2025, at 3:34PM, at 100 Church Street, New York, N.Y. 10007, deponent served the **SUMMONS IN A CIVIL ACTION**, upon **NEW YORK CITY DEPARTMENT OF EDUCATION**, the defendant herein named.

**SUITABLE AGE:** By delivering thereat a true copy personally to Ariton Marke, a person of suitable age and discretion. Person served identified himself as the Deputy Unit Chief, and stated that he is authorized to accept service on their behalf.

**DESCRIPTION:** Deponent further states that he describes the person actually served as follows:  
Gender: Male; Race/Skin: White; Hair: Brown; Approx. Age: 35; Approx. Height: 5'11"; Approx. Weight 170lbs.; Moustache, Beard and Glasses.

I affirm this 2<sup>ND</sup> day of July, 2025, under the penalties of perjury under the laws of New York, which may include fine or imprisonment that the foregoing is true, and I understand that this document may be filed in an action or proceeding in a court of law.

  
Byran Mc Elderry  
NYC Lic # 869802

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Eastern District of New York

JERRY GEZA TOTH on behalf of T.T.

Plaintiff(s)

**v.**

NEW YORK CITY DEPARTMENT OF EDUCATION

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*Defendant(s)*

Civil Action No. 25-cv-03317

## SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)*

NEW YORK CITY DEPARTMENT OF EDUCATION  
c/o New York City Law Department  
100 Church St., New York, N.Y. 10007  
serviceECF@law.nyc.gov

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff’s attorney, whose name and address are:

Anton J. Mikofsky  
Law Office of Anton J. Mikofsky  
236 West 26th St., Ste. 303,  
New York NY 10001  
Tel: 212 867 6735

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

BRENNAN B. MAHONEY  
CLERK OF COURT

Date: 06/11/2025

Signature of Clerk or Deputy Clerk